

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the remarks which follow.

This application contains claims 1-30. Claims 1, 10 and 20 are hereby amended. No new matter has been introduced. Reconsideration is respectfully requested.

Applicant thanks Examiners Patel and Ngo for the courtesy of a telephone interview with Applicant's representative, Daniel Kligler (Reg. No. 41,120), held February 27, 2008. At the interview, Dr. Kligler proposed to amend claim 1 to recite explicitly that the data input port of the network node apparatus is separate from the configuration port. The Examiners agreed that this amendment would distinguish the claimed invention over the cited art. Applicant has therefore amended claim 1 as agreed in the interview, and has amended independent claims 10 and 20 in like fashion.

Claims 1-4, 6-8, 10-17, 20-24 and 26-29 were rejected under 35 U.S.C. 102(b) over Fallside et al. (U.S. Patent 6,326,806). Applicant has amended independent claims 1, 10 and 20 in order to clarify the distinction of the claimed invention over the cited art.

In response to the previous Official Action in this case, Applicant argued that Fallside's access point includes only a single port connected to the PHY, whereas the claims in the present patent application recite a configuration port and a data input port that are both connected to a data output port of a PHY device. In the present Official Action, the Examiner maintained the rejection of independent claims 1, 10 and 20 over Fallside, notwithstanding Applicant's arguments on this point, on the grounds that that the "the claim does not state that a configuration port and a data input port are separate ports."

Applicant has amended claims 1, 10 and 20, as agreed in the interview, in order to recite explicitly that the configuration and data input ports are separate. The separation of the configuration and data input ports of FPGA 44 is shown in Fig. 3C of the present

patent application and described with reference thereto in the specification: Input DATA0 serves as the configuration port, while inputs FETH_RXD0 and FETH_RXD1 serve as the data input port. (See the explanation in paragraphs 0064 and 0065 in the published version of this application, US 2005/0114473.) As shown in Fig. 3B and described in the text, both DATA0 and FETH_RDX0 are connected to data output port RXD0 of PHY device 40.

Thus, independent claims 1, 10 and 20, as amended, are believed to be patentable over the cited art. In view of the patentability of the independent claims, dependent claims 2-4, 6-8, 11-17, 21-24 and 26-29 are also believed to be patentable.

Claims 5, 9, 18, 19, 25 and 30 were rejected under 35 U.S.C. 103(a) over Fallside in view of Magal et al. (U.S. Patent 6,933,745) or Mantey et al. (U.S. Patent 6,918,027). In view of the patentability of independent claims 1, 10 and 20, as amended, dependent claims 5, 9, 18, 19, 25 and 30 are also believed to be patentable.

Applicant believes the amendments and remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, Applicant respectfully submits that all of the claims in the present application are in order for allowance.

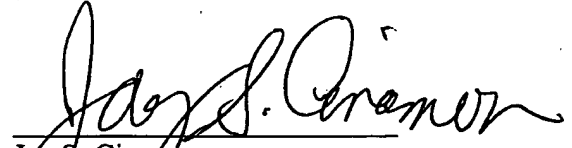
The issuance of a Notice of Allowance is respectfully solicited.

Please charge any fees which may be due and which have not been submitted
herewith to our Deposit Account No. 01-0035.

Respectfully submitted,

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